

Investigation into the Wholesale Billing Practices of
Wisconsin Bell, Inc. d/b/a SBC Wisconsin

6720-TI-183

This form is designed to have carriers identify and document issues in advance of the July 30, 2003 prehearing conference. It will also be used to track issues as issues are discussed during subsequent prehearing conferences. Carriers are not precluded from raising additional issues at or even after the July 30, 2003 prehearing conference, but Carriers will be expected to complete this form as issues are subsequently raised. Notwithstanding, all carriers are encouraged to submit as many of their issues as possible prior to the July 30, 2003 prehearing conference. A date will be established at a subsequent prehearing conference after which no new issues will be permitted.

1. *Please complete a separate form for each issue.*
2. *Time permitting and to the extent possible, carriers with similar issues are encouraged to make a joint submission.*
3. *Please do not include any confidential and/or CPNI information. How to handle confidential and/or CPNI information will be discussed at the July 30, 2003 prehearing conference.*
4. *Please return to Nick Linden by e-mail (nicholas.linden@psc.state.wi.us) no later than the close of business (COB) Friday, July 25, 2003.*

Submitted by: *Delta Phones*

Contact: *Rhonda Walters*
Telephone Number: (888) 220-9138
e-mail: RWALTERS@DELTAPHONES.COM

Subject Matter Expert (SME): *Bob Lock*
Telephone Number: (866) 824-8328
e-mail: Block@Sourcecon.com

Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz*
Telephone Number: (866) 824-9188
e-mail:

Name: *(short identifier)* **Interest on credits issued by SBC.**

Brief Description:

For credits issued by SBC, SBC should be subject to a commercially reasonable penalty, that is, interest on past amounts at the prime rate plus 1% annualized, determined on a yearly basis, to be set on January 1 of each calendar year.

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? *Yes*
4. Your belief as to the cause of the problem. *Not a technical issue*
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No.*
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: *Medium*
7. Any other pertinent information?

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? *No.*
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

(Described relief desired or needed including, but not limited to, proposed changes to Performance Measurements (PMs).)

Delta Phones requests that the Commission order SBC to pay interest at a commercially reasonable rate when issuing credits.

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

A. Analysis of Issue

1. Your belief as to the cause of the problem. *Delta Phone appears to be interested in renegotiating its ICA, which was approved in November 2002. This docket is not the proper forum to afford Delta Phone an opportunity to reargue rejected positions or to negotiate new terms.*
2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *See above.*
3. What performance measures can be implemented to monitor the desired system operation? *N/A*
4. Any other pertinent information? *No*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier. *See above.*
2. Were any bill adjustments made to resolve this issue? *See above.*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *See above.*

4. Identify any other carrier(s) known to have experienced similar problems. *See above.*
5. Did you identify any other problems arising from or related to this issue? *N/A*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *See above.*
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *N/A*

Submitted by: *SBC*

Contact: *Jim Jermain*

Telephone Number: *(608) 252-2359*

e-mail: *jj8571@sbc.com*

Subject Matter Expert (SME): *Fred Christensen*

Telephone Number: *(414) 319-5617*

e-mail: *fc1618@sbc.com*

Authorized Representative: *Carla Rowland*

Telephone Number: *(214) 464-7511*

e-mail: *cb8043@sbc.com*

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Investigation into the Wholesale Billing Practices of
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III. Submitting Carrier(s) General Information

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Subject Matter Expert (SME): *Bob Lock*

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e-mail: Block@Sourcecon.com

Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz*

Telephone Number: (866) 824-9188

e-mail:

IV. Issue Identification

Name: *(short identifier) Monthly Billing*

Brief Description:

SBC should be required to render monthly bills to its CLEC customers no later than 30 Calendar days after the month in which service is provided.

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*

2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? Yes
4. Your belief as to the cause of the problem. Systemic problems in SBC's systems.
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. No
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: High, ~~Medium or Low~~?
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue (*Please do not re-argue your case here or submit supporting documents.*)

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? No.
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

VII. Relief Sought

Delta Phones Requests that the Commission compel SBC to issue wholesale bills to CLECs on a monthly basis.

VIII. Opposing Carrier's Response (*to be completed after July 30, 2003, prehearing*)

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

A. Analysis of Issue

1. Your belief as to the cause of the problem.
Delta has raised the same issue as COVAD Issue #2. Consistent with SBC's response to that issue, SBC believes that this issue is more appropriately addressed in industry-wide forums (OBF or CLEC User Forum) or in individual 251/252 negotiations.
2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No.*
3. What performance measures can be implemented to monitor the desired system operation? *N/A*
4. Any other pertinent information? *N/A*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier. *See above.*
2. Were any bill adjustments made to resolve this issue? *N/A*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *N/A*

4. Identify any other carrier(s) known to have experienced similar problems. *See above.*
5. Did you identify any other problems arising from or related to this issue? *N/A*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *N/A*
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *N/A*

IX. Opposing Carrier's General Information *(to be completed after July 30, 2003, prehearing)*

Submitted by: *SBC*

Contact: *Jim Jermain*

Telephone Number: *(608) 252-2359*

e-mail: *jj8571@sbc.com*

Subject Matter Expert (SME): *Tena Rylander*

Telephone Number: *(214) 858-0235*

e-mail: *tr5972@sbc.com*

Authorized Representative: *Glen Sirles*

Telephone Number: *(214) 858-0700*

e-mail: *gs1066@sbc.com*

X. Further Investigative Activities *(for staff use only)*

XI. Final Disposition *(for staff use only)*

Investigation into the Wholesale Billing Practices of
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Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s)) Fallean Mintz*

Telephone Number: (866) 824-9188

e-mail:

IV. Issue Identification

Name: *(short identifier) No Escrow Requirement*

Brief Description:

SBC's wholesale bills are inaccurate, and cannot be tracked from month to month. When CLECs dispute the bills, SBC requests that the CLECs escrow funds. In the event of a billing dispute between SBC Wisconsin and a CLEC customer, neither party should be required to escrow the amount of any part of the disputed amount, nor should either party be authorized to terminate the parties' agreement for the

failure to pay disputed amounts within the time frame specified for dispute resolution. The CLEC customer should not have to either pay the disputed amount upfront or put the same in escrow until the dispute is settled, as either scenario greatly impacts the CLEC's available cash on hand.

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? *Yes*
4. Your belief as to the cause of the problem. *Policy issue imposed by SBC.*
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No*
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: High, ~~Medium or Low~~?
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue *(Please do not re-argue your case here or submit supporting documents.)*

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? *No*
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

VII. Relief Sought

Delta Phones requests that the Commission suspend all escrow requirements imposed by SBC until SBC's wholesale billing issues are resolved.

VIII. Opposing Carrier's Response *(to be completed after July 30, 2003, prehearing)*

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

A. Analysis of Issue

1. Your belief as to the cause of the problem.
This issue is substantially similar to TDS Issue #17. SBC incorporates here its response to that issue by reference. The issue at hand (the requirement to escrow funds associated with billed amounts in dispute) is clearly addressed in Delta's interconnection agreement (see below). As such, this issue has been fully vetted in front of, and arbitrated by, the PSCW and need not be resolved in this docket. Delta can bring this issue up in its negotiation of its next interconnection agreement.

This provision of Delta's agreement arose out of concerns over a party's ability to pay. Many CLECs have encountered financial difficulties, and this provision provides financial assurance for SBC should the issue in dispute be found unsustainable. The PSCW has determined that such a practice is standard in the industry. It is important to note that SBC has substantially the same obligation should it dispute a portion of a CLEC's bill to SBC. Further, in the latest generation of interconnection agreements, the escrow requirement is reduced or eliminated based on the customer's credit history.

2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain.

*This issue is part of Delta's interconnection agreement. The relevant section is 8.4 which states "[i]f any portion of an amount due to a Party (the "**Billing Party**") under this Agreement is subject to a bona fide dispute between the Parties, the Party billed (the "**Non-Paying Party**") must, prior to the Bill Due Date, give written notice to the Billing Party of the amounts it disputes ("**Disputed Amounts**") and include in such written notice the specific details and reasons for disputing each item listed in Section 10.4.1. On or before the Bill Due Date, the Non-Paying Party must pay (i) all undisputed amounts to the Billing Party, and (ii) all Disputed Amounts into an interest bearing escrow account with a Third Party escrow agent mutually agreed upon by the Parties."*

3. What performance measures can be implemented to monitor the desired system operation? *None.*
4. Any other pertinent information? *Refer to answer number 1 above.*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier.
Issue was not raised per CLEC's response above.
2. Were any bill adjustments made to resolve this issue? *N/A*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *N/A*
4. Identify any other carrier(s) known to have experienced similar problems.
This issue is usually resolved during negotiations and/or arbitration.
5. Did you identify any other problems arising from or related to this issue? *N/A*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *N/A*
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *To accommodate CLECs with good credit histories, SBC has offered new language that eliminates the requirement that disputed amounts are to be deposited into an escrow account.*

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Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz)*

Telephone Number: (866) 824-9188

e-mail:

IV. Issue Identification

Name: *(short identifier)* **Bill Payment Period**

Brief Description:

The wholesale bills delivered by SBC are complicated, inaccurate, and require extensive analysis. The CLEC customer should be given a commercially reasonable deadline for remitting payment for SBC's bills, that is, remittance should be due within 30 days from the receipt by the CLEC of a detailed and accurate bill.

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? *Yes*
4. Your belief as to the cause of the problem. *Systemic problems in SBC's systems.*
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No*
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: High, ~~Medium~~ or ~~Low~~?
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue *(Please do not re-argue your case here or submit supporting documents.)*

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? *No*
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

VII. Relief Sought

Delta Phones requests that the Commission issue an order indicating that all payments due to SBC on wholesale transactions with CLECs be made within 30 days.

VIII. Opposing Carrier's Response *(to be completed after July 30, 2003, prehearing)*

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

A. Analysis of Issue

1. Your belief as to the cause of the problem.
SBC does not view this as a problem. All bills are formatted in accordance with Industry guidelines, e.g., CABS BOS/BDT. Any modifications to bill formats must be made in industry-wide forums.
2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain.
Yes to some extent it is. Delta's ICA, at sections 8.1.1. & 8.1.4, requires Delta to remit payment within 30 days of bill date. This is standard operating language in most ICAs. This is the same due date interval established for SBC Interexchange Carriers (IXCs) customers. Delta appears to be requesting that the Commission relieve Delta of its contractual obligations. This "issue" is an improper attempt by Delta to renegotiate its contract outside of the 251/252 process.
3. What performance measures can be implemented to monitor the desired system operation?

None

4. Any other pertinent information? *N/A*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier. *See above.*
2. Were any bill adjustments made to resolve this issue? *N/A*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *N/A*
4. Identify any other carrier(s) known to have experienced similar problems. *COVAD, in this same billing docket. SBC incorporates its response to the COVAD issue here, to the extent applicable.*
5. Did you identify any other problems arising from or related to this issue? *N/A*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *N/A*
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *N/A*

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XI. Final Disposition *(for staff use only)*

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Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz*

Telephone Number: (866) 824-9188

e-mail:

IV. Issue Identification

Name: **CABs Reconciliation**

Brief Description: SBC's account reconciliation after its CABS conversion is fraught with errors and based on a flawed methodology. SBC has not correctly calculated the debits and credits associated with its incorrect wholesale bills, is still disclosing information about the reconciliation on a piecemeal basis, and has not attempted to address any of the criticisms that CLECs have raised regarding the reconciliation.

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? Yes, to the extent that each monthly bill is based on inaccurate information.
4. Your belief as to the cause of the problem. Systemic problems in SBC's systems.
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. No
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: High?
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue (*Please do not re-argue your case here or submit supporting documents.*)

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? Yes
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
Notified by Delta in December, 2002.
3. Last known position of the opposing carrier. SBC believes its CABS bills accurately reflect accounts.
4. Were any bill adjustments made to resolve this issue? No.
5. Were any policies or procedures changed to address this issue? If so, what changes were made? No.

VII. Relief Sought

Delta Phones requests that the Commission order SBC to conduct a complete audit of the CABS account reconciliation.

VIII. Opposing Carrier's Response (*to be completed after July 30, 2003, prehearing*)

(*Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.*)

Delta has raised the same issue as AT&T Issue #4. SBC incorporates here its answer to AT&T Issue #4 by reference.

A. Analysis of Issue

1. Your belief as to the cause of the problem. *See response to AT&T Issue #4.*
2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *See response to AT&T Issue #4.*
3. What performance measures can be implemented to monitor the desired system operation? *See response to AT&T Issue #4.*
4. Any other pertinent information? *See response to AT&T Issue #4. Interestingly, Delta Phones is requesting a complete audit of the Reconciliation conducted in January 2003. SBC directed Ernst and & Young to complete such an audit, the*

results of which were included in the Michigan 271 proceeding. Based on that E&Y audit, SBC has already performed the desired actions sought by Delta Phones under the heading of "Relief Sought" in this document. Moreover, Delta Phones needs to simply provide examples through the billing dispute process where it believes that it was either under credited or over billed and SBC will investigate the circuits for which they believe were credited or debited inaccurately.

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier. *See response to AT&T Issue #4.*
2. Were any bill adjustments made to resolve this issue? *See response to AT&T Issue #4.*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *See response to AT&T Issue #4.*
4. Identify any other carrier(s) known to have experienced similar problems. *See response to AT&T Issue #4.*
5. Did you identify any other problems arising from or related to this issue? *See response to AT&T Issue #4.*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s).
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *See response to AT&T Issue #4.*

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Contact: *Jim Jermain*

Telephone Number: *(608) 252-2359*

e-mail: *jj8571@sbc.com*

Subject Matter Expert (SME): *Denise Kagan*

Telephone Number: *(847) 898-4232*

e-mail: *dk9139@sbc.com*

Authorized Representative: *John T. Anderson*

Telephone Number: *(314) 235-5020*

e-mail: *ja3478@sbc.com*

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1. Please complete a separate form for each issue.
2. Time permitting and to the extent possible, carriers with similar issues are encouraged to make a joint submission.
3. Please do not include any confidential and/or CPNI information. How to handle confidential and/or CPNI information will be discussed at the July 30, 2003 prehearing conference.
4. Please return to Nick Linden by e-mail (nicholas.linden@psc.state.wi.us) no later than the close of business (COB) Friday, July 25, 2003.

III. Submitting Carrier(s) General Information

Submitted by: *Delta Phones*

Contact: *Rhonda Walters*

Telephone Number: (888) 220-9138

e-mail: RWALTERS@DELTAPHONES.COM

Subject Matter Expert (SME): *Bob Lock*

Telephone Number: (866) 824-8328

e-mail: Block@Sourcecon.com

Authorized Representative: *(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz)*

Telephone Number: (866) 824-9188

e-mail:

IV. Issue Identification

Name: *(short identifier)* **Detailed Billing Information**

Brief Description:

SBC Wisconsin should be required to provide its CLEC customers with detailed billing information sufficient to verify SBC's bills. A simple model wherein BANs are detailed by dated invoice would be sufficient and would allow the CLEC to understand how SBC has applied past due amounts. Without this information, the customer has great difficulty validating the SBC bills and it is difficult to determine

how SBC has applied previous payments.

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? *Yes*
4. Your belief as to the cause of the problem. *Systemic problems in SBC's systems.*
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No*
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: **High**
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue *(Please do not re-argue your case here or submit supporting documents.)*

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? *No*
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

VII. Relief Sought

Delta Phones requests that the Commission compel SBC to modify its billing formats to provide accurate and detailed information on charges.

VIII. Opposing Carrier's Response *(to be completed after July 30, 2003, prehearing)*

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

In this issue, Delta has merely regurgitated COVAD Issue #1. In response, SBC refers to its response to COVAD Issue #1 and incorporates that response here:

"By message sent to SBC from the COVAD SME identified above, COVAD indicated that it had no current billing issues pertaining to Wisconsin. Based upon this message, SBC believes that COVAD is no longer pursuing this issue; consequently, no response is offered. In any event, a general redesign of wholesale bills is a matter of general interest to the CLEC community, not merely those doing business in Wisconsin. Accordingly, consideration of this issue here is inappropriate. Rather, the issue should be addressed in a forum of general application, such as the Open Billing Forum (OBF)."

A. Analysis of Issue

1. Your belief as to the cause of the problem. *See above.*
2. Does this issue involve an interpretation and/or application of law, contract or

tariff? If so, please explain. *No.*

3. What performance measures can be implemented to monitor the desired system operation? *N/A*
4. Any other pertinent information? *N/A*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier. *See above.*
2. Were any bill adjustments made to resolve this issue? *N/A*
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *N/A*
4. Identify any other carrier(s) known to have experienced similar problems. *See above.*
5. Did you identify any other problems arising from or related to this issue? *See above.*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *See above.*
7. Were any policies or procedures changed to address this issue? If so, what changes were made? *No.*

IX. Opposing Carrier's General Information *(to be completed after July 30, 2003, prehearing)*

Submitted by: *SBC*

Contact: *Jim Jermain*

Telephone Number: *(608) 252-2359*

e-mail: *jj8571@sbc.com*

Subject Matter Expert (SME): *Denise Kagan*

Telephone Number: *(847) 898-4232*

e-mail: *dk9139@sbc.com*

Authorized Representative: *John T. Anderson*

Telephone Number: *(314) 235-5020*

e-mail: *ja3478@sbc.com*

X. Further Investigative Activities *(for staff use only)*

XI. Final Disposition *(for staff use only)*

Investigation into the Wholesale Billing Practices of
Wisconsin Bell, Inc. d/b/a SBC Wisconsin

6720-TI-183

I. Purpose <p><i>This form is designed to have carriers identify and document issues in advance of the July 30, 2003 prehearing conference. It will also be used to track issues as issues are discussed during subsequent prehearing conferences. Carriers are not precluded from raising additional issues at or even after the July 30, 2003 prehearing conference, but Carriers will be expected to complete this form as issues are subsequently raised. Notwithstanding, all carriers are encouraged to submit as many of their issues as possible prior to the July 30, 2003 prehearing conference. A date will be established at a subsequent prehearing conference after which no new issues will be permitted.</i></p>
II. Directions <ol style="list-style-type: none"> <i>1. Please complete a separate form for each issue.</i> <i>2. Time permitting and to the extent possible, carriers with similar issues are encouraged to make a joint submission.</i> <i>3. Please do not include any confidential and/or CPNI information. How to handle confidential and/or CPNI information will be discussed at the July 30, 2003 prehearing conference.</i> <i>4. Please return to Nick Linden by e-mail (nicholas.linden@psc.state.wi.us) no later than the close of business (COB) Friday, July 25, 2003.</i>
III. Submitting Carrier(s) General Information <p>Submitted by: <i>Delta Phones</i></p> <p>Contact: <i>Rhonda Walters</i> Telephone Number: <i>(888) 220-9138</i> e-mail: <i>RWALTERS@DELTAPHONES.COM</i></p> <p>Subject Matter Expert (SME): <i>Bob Lock</i> Telephone Number: <i>(866) 824-8328</i> e-mail: <i>Block@Sourcecon.com</i></p> <p>Authorized Representative: <i>(Name of person empower to make decisions and enter into agreements on behalf of the submitting carrier(s) Fallean Mintz</i> Telephone Number: <i>(866) 824-9188</i> e-mail:</p>
IV. Issue Identification <p>Name: <i>(short identifier) Dispute Resolution Process</i></p> <p>Brief Description: SBC's bill dispute process is too cumbersome. SBC unilaterally denies disputes without sufficient review or explanation. In addition, SBC uses sampling and other questionable methods to determine disputes in its favor, while demanding carriers pay while disputes are pending, or pay into escrow. SBC has turned the dispute process into a mechanism for strangling CLECs cash flow, when it knows that its</p>

bills are inaccurate and subject to viable disputes

V. Analysis of Issue

Please answer the following questions:

1. When this issue was first discovered? *December 2002*
2. How many occurrences and approximately over how long a period of time?
Monthly
3. Is it a recurring problem? *Yes*
4. Your belief as to the cause of the problem. *Policy decision by SBC.*
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *No*
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: **High**, ~~Medium or Low~~?
7. Any other pertinent information?

VI. Prior Attempts to Resolve the Issue *(Please do not re-argue your case here or submit supporting documents.)*

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? *Yes*
2. Was this issue escalated for dispute resolution? If so, when and in what forum?
3. Last known position of the opposing carrier.
4. Were any bill adjustments made to resolve this issue?
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

VII. Relief Sought

Delta Phones requests that the Commission order SBC to provide detail summaries identifying when disputes are resolved, and the method by which SBC made its determination.

VIII. Opposing Carrier's Response *(to be completed after July 30, 2003, prehearing)*

(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)

A. Analysis of Issue

1. Your belief as to the cause of the problem.
The "issue" raised by Delta misstates SBC's process involving claims and, further, ignores the plain language in Delta's ICA. The current claims submission process, which is outlined on CLEC On-line, was discussed and agreed upon at CLEC User Forum (CUF). Inherently, any claim that is received in the LSC is normally investigated on a line-by-line basis. For example, if Delta Phones submitted a claim which had 1,000 lines, an LSC Service Representative (SR) would investigate each line to determine if a credit should apply to each line.

The SBC Midwest LSC has explored the viability of using a sample size methodology for claims processing. That is, the SBC Midwest LSC has trialed the

sampling of claims made by a given CLEC in order to process the entire population of a specific set of the CLEC's claims. For example, if the CLEC submits a claim that impacts a number of its telephone numbers and the initial investigation by the SBC Midwest LSC appears to point at the same root cause, then the SBC Midwest LSC has trialed processing the claim by using a random sampling of the telephone numbers in question. When used, if one discrepancy is found, all lines are investigated rather than the random sampling. This validation by sample size is rarely practical, however, since it appears that there normally are some discrepancies that need to be investigated on an individual basis.

In investigating CLEC claims, the SBC Midwest LSC SRs follow a Claims Investigation Process checklist that includes resolution text. If a claim is denied or sustained, the resolution text is completed by the SR and includes tariff quotes, contract cites, etc. The Claims Investigation Process checklist was implemented, locally, by the SBC Midwest LSC during the month of February 2003. In addition, the contents of the resolution text are reviewed weekly and monthly during SBC Midwest LSC staff meetings. If, while conducting a review, a Manager finds a resolution text that is incomplete, the SR is coached on proper record-keeping procedures. Finally, resolution text is regularly emphasized for all SRs attending LSC training.

In addition, any payments made by the parties that are deposited into an escrow account are related specifically to bonafide disputes between the parties and are not part of the normal LSC dispute resolution process. The parties' responsibilities in regard to escrowed amounts are clearly defined in the interconnection agreement (ICA) that is actively negotiated between the parties. Per the November 13, 2002 approved ICA between the parties, (approved by the PSCW on November 11, 2002), "[e]ach Party shall promptly pay all amounts owed under this Agreement or place any Disputed Amounts into an escrow account that complies with Section 8.4 hereof." Section 8.4 of the ICA further defines the responsibilities of the parties with regard to the administration of those escrowed dollars by a third party when a bonafide dispute exists.

2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain.
Perhaps. The "issue," such as it is, consists either of Delta's misunderstanding of SBC's claim process or Delta's failure to follow its ICA, or both.
3. What performance measures can be implemented to monitor the desired system operation?
None.
4. Any other pertinent information? *No.*

B. Prior Attempts to Resolve the Issue

1. Last known position of the submitting carrier.
See above.
2. Were any bill adjustments made to resolve this issue? *N/A*

3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). *N/A*
4. Identify any other carrier(s) known to have experienced similar problems. Northern Telephone and Data (NTD), TDS Metrocom, and AT&T have all expressed various levels of dissatisfaction with the collaboratively designed billing dispute resolution process. *N/A*
5. Did you identify any other problems arising from or related to this issue? *No.*
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). *N/A*
7. Were any policies or procedures changed to address this issue? If so, what changes were made?

Enactment of the Claims Investigation Process checklist by the LSC in February, and various updates to the process that have occurred since.

IX. Opposing Carrier's General Information *(to be completed after July 30, 2003, prehearing)*

Submitted by: *SBC*

Contact : *James Jermain*

Telephone Number: *608-252-2359*

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Subject Matter Expert (SME): *Frederick C. Christensen*

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Authorized Representative: *Carla Rowland*

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X. Further Investigative Activities *(for staff use only)*

XI. Final Disposition *(for staff use only)*